

Serial No. 09/666,445
Filed: September 21, 2000



PATENT APPLICATION
Docket No: 15226.4

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DECLARATION CLAIMING SMALL ENTITY STATUS
FOR A SMALL BUSINESS CONCERN

I, Stanley L. Pestotnik, hereby declare: that I am President of Theradoc.com, Inc., a Delaware corporation having a principal place of business at 546 Chipeta Way, #480, Salt Lake City, UT 84108; I am empowered to act on behalf of Theradoc.com, Inc.; and that Theradoc.com, Inc. qualifies as a small business concern as defined in 13 C.F.R. § 121.3-18 and 37 C.F.R. § 1.9(d), for purposes of paying reduced fees to the Patent and Trademark Office under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of Theradoc.com, including those of its affiliates, does not exceed 500 persons. I understand that, for purposes of this declaration, (1) the number of employees is the average over the previous fiscal year of the number of persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and that (2) two business concerns are considered to be affiliates of each other when one business concern either directly or indirectly controls or has the power to control the other, or when a third party or parties control or have the power to control both business concerns.

I further declare that all rights, title, and interest relating to the invention entitled SYSTEMS AND METHODS FOR COMMUNICATING BETWEEN A DECISION-SUPPORT SYSTEM AND ONE OR MORE MOBILE INFORMATION DEVICES, invented by Jonathan B. Olson, Mark H. Skolnick, Stanley L. Pestotnik, William F. Harty III, Richard J. Boekweg, Bo Lu, and Merle A. Sande, as described in the patent application filed September 21, 2000 and assigned Serial No. 09/666,445, have been conveyed to and currently remain with Theradoc.com, Inc.

I acknowledge the duty to file, in the above-mentioned application or any patent issued in respect thereof, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of (1) the issue fee or (2) any maintenance fee due after the date on which status as a small entity is no longer appropriate. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

DATED this 4 day of January 2001.

THERADOC.COM, INC.

By:


Stanley L. Pestotnik
President